

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ DELTA, LLC,

Plaintiff,

V.

COMMSCOPE HOLDING COMPANY, INC., COMMSCOPE INC., ARRIS INTERNATIONAL LIMITED, ARRIS GLOBAL LTD., ARRIS US HOLDINGS, INC., ARRIS SOLUTIONS, INC., ARRIS TECHNOLOGY, INC., and ARRIS ENTERPRISES, LLC,

Defendants.

[illegible]

CIVIL ACTION NO. 2:21-CV-00310-JRG
(LEAD CASE)

V.

NOKIA CORP., NOKIA SOLUTIONS
AND NETWORKS OY, and NOKIA OF
AMERICA CORP.,

Defendants.

CIVIL ACTION NO. 2:21-CV-00309-JRG
(MEMBER CASE)

ORDER

Before the Court is the Opposed Motion to Expedite Briefing Schedule (the “Motion”) filed by Defendants Nokia of America Corporation, Nokia Corporation, Nokia Solutions and Networks Oy (collectively, “Nokia”) and Defendants CommScope Holding Company, Inc., CommScope Inc., ARRIS International Limited, ARRIS Global Ltd., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology, Inc., and ARRIS Enterprises, LLC (collectively, “CommScope”) (together with Nokia, “Defendants”). (Dkt. No. 244). In the Motion, Defendants request expedited briefing on Defendants’ Second Opposed Motion for Entry of Order Focusing Patent Claims (the


“Motion to Focus Patent Claims”) (Dkt. No. 243). (Dkt. No. 244 at 2). Defendants propose that TQ Delta, LLC’s (“TQ Delta”) response be due by Friday, August 5, 2022, and no subsequent briefing be permitted. (*Id.* at 3). Defendants request expedited briefing to allow the Court to resolve the Motion to Focus Patent Claims before the parties are required to serve their opening expert reports.¹ (*Id.* at 2).

The Court finds that expedited briefing on the Motion to Focus Patent Claims is not necessary or timely. Defendants request the proposed expedited briefing schedule because if the Court grants the Motion to Focus Patent Claims, “the parties and the Court would avoid wasting valuable resources addressing issues directed to patents that will never be part of the trial in this case.” (*Id.*). Defendants’ Motion presumes that the Court will grant the Motion to Focus Patent Claims and does not permit TQ Delta a full and fair opportunity to respond without providing good cause for their request for expedited briefing.

Accordingly, the Court finds that the Motion should be and hereby is **DENIED**.

So Ordered this

Aug 4, 2022



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE

¹ The deadline to serve disclosures for expert witnesses by the party with the burden of proof is August 29, 2022. (Dkt. No. 249 at 3).